

The Hoffman 281 patent describes a power assisted actuator to aide in the opening and closing of the tonneau cover. He does not mention about its power capacity, however, any one skilled in this art would recognize the fact that it only takes a small amount of power to raise a fifty pound tonneau cover. Conversely, the power actuator that I describe would dead lift 1000 pounds and its mechanics are totally different that the one described in Hoffman 281. This leads me to wonder about the scope of use the writer of Hoffman 281 describes in his last paragraph under "Description" namely, "Although specific embodimentsand the equivalents thereof." I am concerned about the vagueness and perceived scope of this statement, and feel that the scope of any statement made like this should be limited to "what is reasonable under the circumstances". I am certain that anyone skilled in the art and science of power actuators would recognize the fact that the Hoffman 281 actuator is not suited or adaptable to my system.

We have already discussed the Laper 875 patent regarding hinges.

I have also sent under separate cover a RCE under 37 CFR 1.114.

In conclusion, I maintain that the arguments I have brought forward are sufficient to place my new claims in allowance.

I, again thank you for sending the images of Hoffman 281; for the advice to request a RCE under 37 CFR 1.114; and for the discussion regarding my claims.

Yours truly,



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Attached – new claims